

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4073 of 2021

Arising Out of PS. Case No.-164 Year-2020 Thana- KUTUMBA District- Aurangabad

RAHUL KUMAR @ RAHUL SINGH, son of Santosh Singh, Resident of
Village- Jamua, P.S. Kutumba, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. M. K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-03-2021 Heard Mr. Parmendra Kumar Singh, learned
Counsel for the petitioner and Mr. M. K. Nirala, learned
Additional Public Prosecutor for the State, through Video
Conferencing.

This application, for grant of regular bail, arises out
of Kutumba Police Station Case No. 164 of 2020, disclosing
offences under Sections 279, 337, 338, 353, 307, 326, 427/34 of
the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report
is that in the course of vehicle checking, the police intercepted
one bolero vehicle but the driver of the vehicle tried to escape
and dashed and damaged the police vehicle deliberately in
which two police personnel received injury. Upon search, the



police recovered a total quantity of 455 litres of illicit liquor from the said car.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to oblique motive inasmuch as two persons were found sitting in the vehicle and one was apprehended but the petitioner was not arrested from the spot. Learned counsel next submits that no injury report has been brought on record by the prosecution in the Court below and the chargesheet has already been submitted in this case. Learned counsel next submits that the petitioner is neither the owner of the vehicle nor driver and he is in custody since 22.09.2020, i.e., for about six months.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 22.09.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Rahul Kumar @ Rahul Singh, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount



each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge (Excise), Aurangabad, in connection with Kutumba Police Station Case No. 164 of 2020.

It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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